



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Nigel BEELEY *et al.*

Appl. No.: 09/003,869

Filed: January 7, 1998

For: Use of Exendins for the Reduction  
of Food Intake (amended)

Confirmation no.: 9574

Art Unit: 1653

Examiner: Abdel MOHAMED

Atty. Docket: 18528.032 / 231/181 US

**Declaration by Andrew A. Young under 37 C.F.R. 1.48(a)(2)**

**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

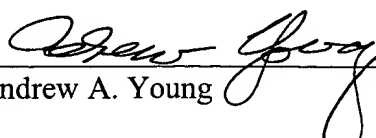
Alexandria, VA 22313-1450

Sir:

I, Andrew A. Young, declare that:

1. I am a co-inventor of the above-captioned patent application;
2. The error in inventorship due to the exclusion of my name in the application papers as originally filed occurred without deceptive intention on my part; and
3. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 14 day of JULY, 2004.

  
\_\_\_\_\_  
Andrew A. Young



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nigel Robert Arnold BEELEY *et al.*

Appln. No.: 09/003,869

Filed: January 7, 1998

For: **Use of Exendins for the Reduction of  
Food Intake (as amended)**

Art Unit: 1653

Examiner: Abdel A. Mohamed

Atty. Docket: 18528.032 / 231/181 US

Confirmation No.: 9574

**Amendment to Correct Inventorship Under 37 C.F.R. § 1.48(a) and 1.48(b)**

**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the inventorship of the above-identified application be amended from:

**Nigel Robert Arnold Beeley, Kathryn Prickett and Sunil Bhavsar**

**as joint inventors**

to:

**Andrew A Young and Sunil Praful Bhavsar as joint inventors.**

Request under 37 C.F.R. § 1.48(a)

During preparation of this application, Andrew A. Young was omitted as a named inventor without deceptive intent on his part. The addition of Andrew A Young as a joint inventor is hereby requested under 37 C.F.R. § 1.48(a). Enclosed herewith are:

1. A Declaration by Andrew A. Young under 37 C.F.R. § 1.48(a)(2);
2. An executed Declaration and Power of Attorney signed by Andrew A. Young and Sunil Praful Bhavsar;
3. A Written Consent of Assignee under 37 C.F.R. § 3.73; and
4. An Assignment of all right, title and interest in the above-referenced U.S. Patent Application from Andrew A. Young to Amylin Pharmaceuticals, Inc.

Request under 37 C.F.R. § 1.48(b)

In addition, during prosecution of this application, amendment and/or cancellation of claims has resulted in Nigel Robert Arnold Beeley and Kathryn Prickett no longer being inventors of the presently claimed subject matter of the above-referenced application. The deletion of Nigel Robert Arnold Beeley and Kathryn Prickett as joint inventors is hereby requested under 37 C.F.R. § 1.48(b).

The Commissioner is hereby authorized to charge the processing fee of \$130.00 required under 37 C.F.R. § 1.17(i) for consideration of this amendment to Deposit Account No. 50-2387. Applicants do not believe that any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, authorization to charge such fees is given in the accompanying transmittal letter.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)  
Milan M. Vinnola (Reg. No. 45,979)

Date: July 15, 2004

ARNOLD & PORTER LLP  
555 Twelfth Street, N.W.  
Washington, D.C. 20004-1206  
(202) 942-5000 telephone  
(202) 942-5999 facsimile



# Supplemental Combined Declaration and Power of Attorney for Patent Application

Docket Number: 18528.032 / 231/181 US

I,                      below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **Use of Exendins for the Reduction of Food Intake**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on January 7, 1998;  
as United States Application Number 09/003,869; and  
was amended on April 22, 2004 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

                      
(Application No.)

                      
(Country)

                      
(Day/Month/Year Filed)

☐ Yes ☐ No

                      
(Application No.)

                      
(Country)

                      
(Day/Month/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

60/034,905  
(Application No.)

1/7/1997  
(Filing Date)

60/055,404  
(Application No.)

8/8/1997  
(Filing Date)

60/066,029  
(Application No.)

11/14/1997  
(Filing Date)

60/066,442  
(Application No.)

11/14/1997  
(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

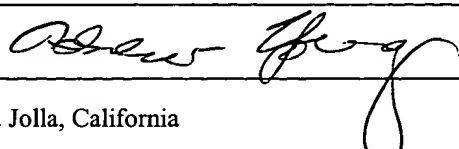
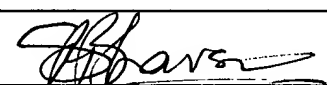
practitioners at Arnold & Porter LLP and Amylin Pharmaceuticals, Inc.,  
associated with Customer No. **44638**;

Send Correspondence to:

**David R. Marsh**  
**ARNOLD & PORTER LLP**  
Attn: IP Docketing Dept.  
555 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-1206  
Facsimile: (202) 942-5999

Direct Telephone Calls to: (202) 942-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Andrew A. YOUNG	
Inventor's signature 	Date 14 JULY 2004
Residence	La Jolla, California
Citizenship	New Zealand
Post Office Address	2035 Caminito El Canario
La Jolla, California 92037	
Full name of second inventor: Sunil Praful BHAVSAR	
Inventor's signature 	Date 14 July 2004
Residence	San Diego, California
Citizenship	United States of America
Post Office Address	8809 La Cartera Street
San Diego, California 92129	



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant: Beeley et al.

Application No./Patent No.: 09/003,869

Filed/Issue Date: January 7, 1998

Entitled: Use of Exendins for the Reduction of Food Intake

Amylin Pharmaceuticals, Inc., a corporation, states that it is:

1. ☒ the assignee of the entire right, title and interest; or
2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership is

In the patent application/patent identified above by virtue of:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 9381, Frame 0222, or for which a copy thereof is attached

AND

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Andrew A. Young                      To: Amylin Pharmaceuticals, Inc.  
The document was recorded in the United States Patent Office at  
Reel \_\_\_\_, Frame \_\_\_\_, or for which a copy thereof is attached.

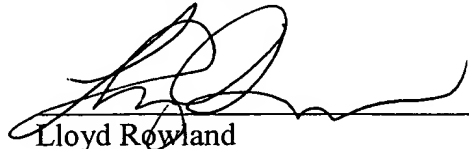
☒ Copies of the assignments or other documents in the chain of title are attached  
[NOTE: A separate copy (i.e., the original document or a true copy of the original document) must be submitted to the Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 7/14/04

Telephone: (858) 642-7066

AMYLIN PHARMACEUTICALS, INC.

  
\_\_\_\_\_  
Lloyd Rowland  
Vice President, General Counsel and  
Secretary

## ASSIGNMENT

WHEREAS, I/we, the undersigned, have made certain invention or inventions which are disclosed in patent application(s) and/or provisional patent application(s) entitled:

Use of Exendins for the Reduction of Food Intake

identified as U.S. Application No. 09/003,869

WHEREAS, **Amylin Pharmaceuticals, Inc.**, of 9360 Towne Centre Drive, Suite 110, San Diego, California 92121, a Corporation of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor;

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, I/we do hereby sell, assign and transfer to said **Amylin Pharmaceuticals, Inc.**, its successors and assigns, the entire right, title and interest in and to said invention or inventions, in any form or embodiment thereof, and in and to said application(s); and in and to any and all applications filed in any country based thereon, including the right to file applications in countries other than the country of priority filing under the provisions of any international convention; also in and to any and all improvements on said invention or inventions now or hereafter made by me/us as employee(s), agent(s) or contractor(s) of said **Amylin Pharmaceuticals, Inc.**; also the entire right, title and interest in and to any and all patents, including reissues and extensions thereof, to be obtained in any country upon said invention; inventions or improvements, and any and all continuing applications, including divisional, continuation and continuation-in-part applications, substitute applications, and applications claiming benefit of an earlier filed provisional application, which may be filed upon said invention, inventions or improvements in any country; and

I/We hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said **Amylin Pharmaceuticals, Inc.**, as assignee of the entire interest.

I/We further agree, without any payment by **Amylin Pharmaceuticals, Inc.** other than in reimbursement of reasonable expenses I/we may incur, to communicate to said **Amylin Pharmaceuticals, Inc.**, its representatives or agents, any facts relating to said invention, inventions or improvements, including evidence for purposes of interference, opposition or other legal proceedings, whenever requested; testify in any interference, opposition or other legal proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective.



IN TESTIMONY WHEREOF, I/we have hereto set our hands on the dates set after our signatures.

Signature: Andrew Young Date: 7/14/04

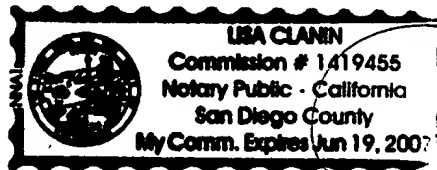
Name: Andrew A. Young

City and state or country of residence: La Jolla, California

State of California )  
County of San Diego ) ss.

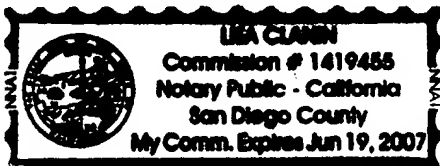
On this 14th day of July, 2004, before me personally appeared Andrew A. Young, known to me to be the person who executed the foregoing instrument and acknowledged that he/~~she~~ executed the same as his/~~her~~ free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.

(seal)



Lisa Clanin  
Notary Public or Consular Officer

My Commission expires June 19, 2007



BEST AVAILABLE COPY

231/181  
PATENT

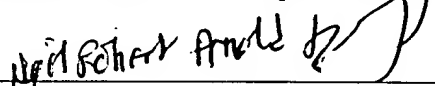
ASSIGNMENT

WHEREAS, we, Nigel Robert Arnold Beeley, a citizen of the United States of America, residing at 227 Loma Corta Drive, Solana Beach, California 92075; Kathryn S. Prickett, a citizen of the United States of America, residing at 7612 Trailbrush Terrace, San Diego, California 92126; and Sunil Bhavsar, a citizen of the United States of America, residing at 8809 La Cartera Street, San Diego, California, 92129, have invented USE OF EXENDINS AND AGONISTS THEREOF FOR THE REDUCTION OF FOOD INTAKE, for which an application for United States Letters Patent was filed on January 7, 1998, and assigned Serial No. 09/003,869; and

WHEREAS, Amylin Pharmaceuticals, Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having its principal place of business at 9373 Towne Centre Drive, San Diego, California 92121, is desirous of acquiring the exclusive right, title and interest in and to said invention and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, the said Nigel Robert Arnold Beeley, Kathryn S. Prickett and Sunil Bhavsar, do hereby sell, assign, transfer and set over unto the said Amylin Pharmaceuticals, Inc., its successors and assigns, the full and exclusive right, title and interest in and to the said invention, and in and to any and all Letters Patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but for, to and in all other countries, including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Amylin Pharmaceuticals, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS my hand at San Diego, California this 29 day of July, 1998

  
Nigel Robert Arnold Beeley

COUNTY OF SAN DIEGO       )  
                                      ) ss.  
STATE OF CALIFORNIA       )

On this \_\_\_\_ day of \_\_\_\_\_, 1998 before me a Notary Public, personally appeared Nigel Robert Arnold Beeley, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he executed it.

\_\_\_\_\_  
Notary Public in and for  
said County and State

231/181  
PATENT

WITNESS my hand at \_\_\_\_\_, \_\_\_\_\_ this 29 day of July,  
1998

Kathryn S. Prickett  
Kathryn S. Prickett

COUNTY OF SAN DIEGO       )  
                                      ) ss.  
STATE OF CALIFORNIA       )

On this \_\_\_\_ day of \_\_\_\_\_, 1998 before me a Notary Public,  
personally appeared Kathryn S. Prickett, proved to me on the basis of  
satisfactory evidence to be the person whose name is subscribed to this  
instrument, and acknowledged that he executed it.

\_\_\_\_\_  
Notary Public in and for  
said County and State

WITNESS my hand at \_\_\_\_\_, \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 1998

Sunil Bhavsar  
Sunil Bhavsar

COUNTY OF SAN DIEGO       )  
                                      ) ss.  
STATE OF CALIFORNIA       )

On this \_\_\_\_ day of \_\_\_\_\_, 1998 before me a Notary Public,  
personally appeared Sunil Bhavsar, proved to me on the basis of satisfactory  
evidence to be the person whose name is subscribed to this instrument, and  
acknowledged that he executed it.

\_\_\_\_\_  
Notary Public in and for  
said County and State

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

San Diego

} ss.

On July 29, 1998

Date

, before me, Sheryl L. Schoen "Notary Public"

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Nigel Robert Arnold Bailey, Kathryn S. Prickett and Sunil Bhavsar

Name(s) of Signer(s)

☐ personally known to me

☒ proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she~~ they executed the same in ~~his/her~~ their authorized capacity(ies), and that by ~~his/her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Sheryl L. Schoen  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Assignment 231/181

Document Date: \_\_\_\_\_ Number of Pages: 2

Signer(s) Other Than Named Above: N/A

### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

☐ Individual

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here